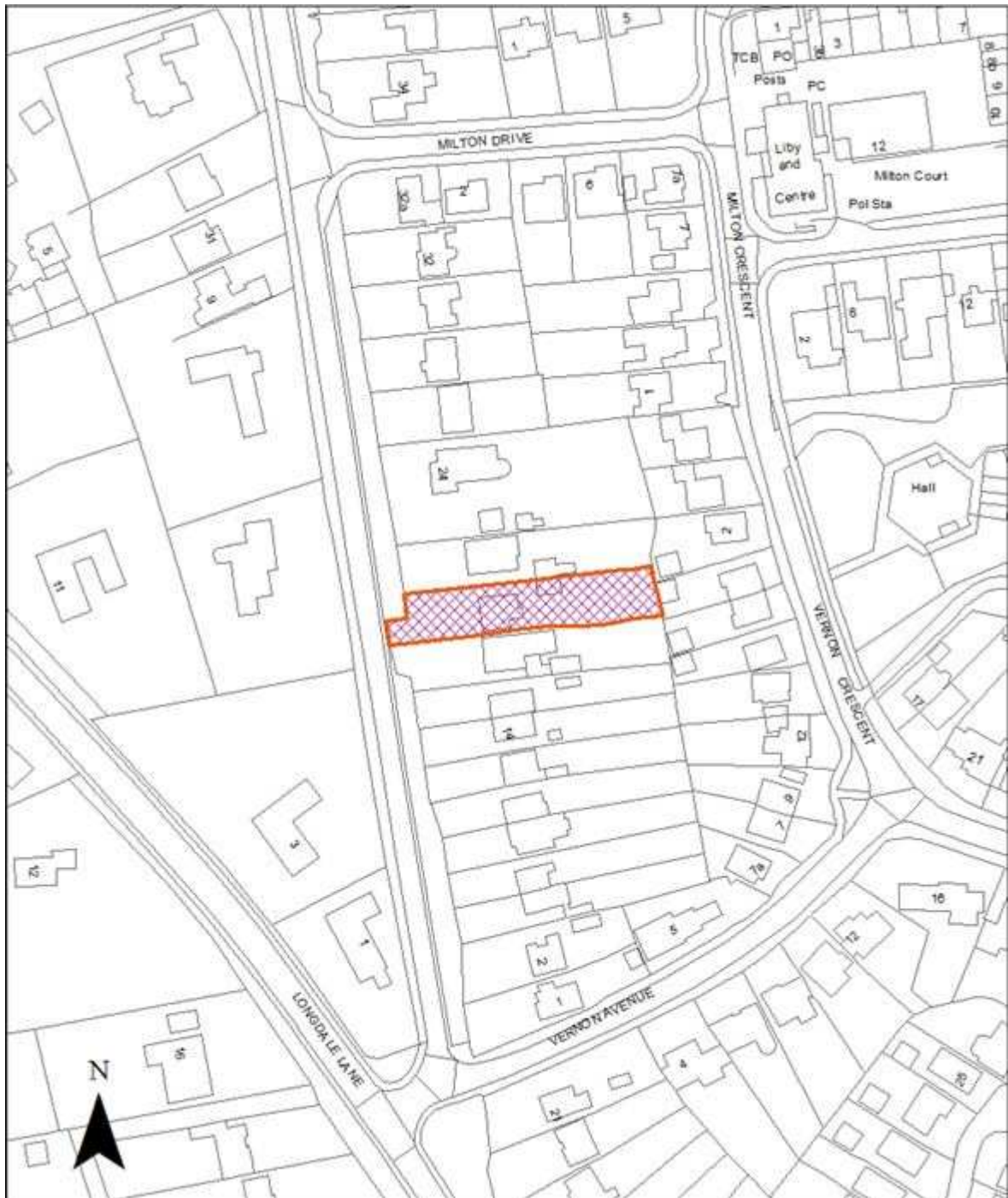




Application Number: 2013/0255
Location: 20 Sheepwalk Lane, Ravenshead



NOTE:
This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright No. LA 078026
Unauthorised reproduction infringes Crown copyright and may lead to prosecution of civil proceedings

Report to Planning Committee

Application Number: 2013/0255

Location: Replacement Of 20 Sheepwalk Lane Ravenshead
Nottinghamshire

Proposal: Variation of Conditions to remove one window (Appn No
2010/0968)

Applicant: Mr David Bennett

Agent:

It should be noted that the above description has altered since the application was originally submitted. At the time that the application was submitted an air source heat pump formed part of the development for which permission was sought. The air source heat pump has now been omitted from the scheme.

The application has been brought before the Committee as the applicant's spouse is a Gedling Borough Council employee.

Site Description

This application relates to a detached two storey contemporary dwelling which was granted planning permission in 2010 and which is located on the eastern side of Sheepwalk Lane within the village envelope of Ravenshead. The property occupies a substantial plot and is set back from the adjoining highway in line with the adjoining residential properties.

The immediately adjacent properties are hipped roof rendered bungalows. To the north no. 22 Sheepwalk Lane has secondary windows to its side elevation overlooking the application site. There are windows and French doors to the rear elevation.

To the south no. 18 Sheepwalk Lane is a similar bungalow which has previously been extended to the rear. This dwelling has an obscure glazed bathroom window, high level bedroom windows and high level secondary dining room windows to the side elevation overlooking the application site. There are French doors to the rear elevation.

To the east of the site are the two storey properties on Vernon Crescent.

The rear boundary consists of 1.8m high close boarded fencing and a 2m high brick wall. The side boundary with the adjacent dwelling (no. 18 Sheepwalk Lane) consists

of 2m high close boarded fencing and hedging and 1.8m high close boarded is currently being erected to the boundary with no. 22 Sheepwalk Lane.

To the front of the site there is a large oak tree set within the small stone front boundary wall.

Planning History

Conditional planning permission was granted in December 2010 for the demolition of an existing bungalow and the erection of a replacement dwelling – application ref. 2010/0968.

Condition 2 of this permission stated that:-

‘The development hereby approved shall be built in accordance with the approved plan (Drawing nos. PA/S0/10/010/001 and 003 Rev A.).’

Conditions 3 (external materials), 4 (enclosure), 6 (landscaping), 8 (surfacing), 11 and 13 (Trees) were formally discharged in April 2012 – application reference 2012/0135DOC.

Proposed Development

Full planning permission is sought for the variation of condition 2 of planning permission 2010/0968 to allow for:-

the removal of 1 no. high level window to the right side elevation.

Manufacturers details and a specification of the air source heat pump has been deposited with the application on the 4th March 2013.

Additional information and method of calculation in terms of noise levels have been deposited on the 2nd and 3rd May 2013.

The original proposal also sought permission for the retention of an air source heat pump installed to the side elevation of the dwelling facing the side boundary with no. 18 Sheepwalk Lane without the benefit of planning permission. The air source heat pump measured 1.3m in height, 0.9m in depth and 0.320m in width. It was sited approximately 4.4m from the rear building line of the dwelling and 1m from the close boarded fencing forming the side boundary with no. 18 Sheepwalk Lane.

The air source heat pump proposed to be retained was located on the side elevation of the dwelling facing no. 18 Sheepwalk Lane. The air source heat pump has now been relocated to the other side elevation facing no. 22 Sheepwalk Lane as confirmed by email and inspected on site on the 4th April 2014. I am satisfied that the location of the air source heat pump would now fall within Part 40 Class G of the Town and Country Planning (General Permitted Development) (Amendment)

(England) Order 2011. This is because the unit would comply with MCS Planning or equivalent standards, it is the only air source heat pump on the building, there is not a wind turbine on the building, the volume of the outside compressor does not exceed 0.6 cubic metres, it is installed on a side wall and no part of the unit is within 1m of the boundary of the curtilage of the dwelling house.

Consultations

Ravenshead Parish Council – No objections are raised.

Public Protection – It is noted at the initial site visit that the air source heat pump was sited directly outside neighbouring bedroom windows and considers that the noise levels it produced would have a seriously detrimental effect upon the use of that room and other rooms along this side of the building. Having visited the site and measured the noise level it is considered that notwithstanding that fencing has been erected along this boundary given the proximity of the neighbouring dwelling there would be very little attenuation of noise and at 47.3dB the noise levels would exceed the recommended World Health Organisation guidelines of 45dB outside bedrooms with an open window. Following the submission of the details of calculations carried out by the applicant and re-examination of public protection calculations it accepted that the applicants' methods are correct. However, the MCS Guidance clearly states that the 'Sound Power Level' should be used which would be the 67dB indicated on the specification. Using this figure the noise level calculation is 47dB which is above the permitted development level of 42dB and which would unduly impact upon the amenity of the neighbouring property.

Adjoining neighbours have been notified of the proposal and a site notice posted.

Two emails were received which expressed concern with regards to the air source heat pump and noise nuisance. These representations were submitted before the relocation of the air source heat pump took place.

Planning Considerations

Given that the air source heat pump has now been relocated and now constitutes 'permitted development' as outlined above, the main planning considerations in the determination of this application relate purely to the removal of the window to the side elevation. Consideration should therefore be given as to whether the removal of the window would result in any undue impact upon the design and visual impact of the proposal or on the amenity of neighbouring residential properties.

At the national level the National Planning Policy Framework (March 2012) (NPPF) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development.

The Government also attaches great importance to the design of the built environment. Section 7 of NPPF states inter alia that good design is a key aspect of sustainable development and that it should contribute positively to making places better for people. Developments should function well and add to the overall quality of the area, respond to local character and history, reflecting the identity of local surroundings and materials and be visually attractive as a result of good architecture and appropriate landscaping.

At the local level the following policies of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008 RLP) are relevant:

ENV1 – Development criteria

Under Policy ENV1, development should be of a high standard of design and extensions to dwellings should be in keeping with the scale and character of the existing dwelling and should not cause unacceptable harm to the amenity of neighbouring residents.

Gedling Borough Council at its meeting on 13th February 2013 approved the Gedling Borough Aligned Core Strategy Submission Documents (ACSSD) which it considers to be sound and ready for independent examination. Consequently, Gedling Borough in determining planning applications may attach greater weight to the policies contained in the Aligned Core Strategy Submission Documents as it is at an advanced stage of preparation with the level of weight given to each policy being dependent upon the extent to which there are unresolved objections (the less significant the unresolved objections, the greater weight that may be given). It is considered that the following policies are relevant:-

Policy 10 Design and Enhancing Local Identity.

Design and visual Impact

I am satisfied that the removal of the high level window to the side elevation does not detract from the visual quality of the dwelling or the wider area.

Taking these considerations into account I am of the view that the proposal would not be significantly detrimental to the character and appearance of the existing dwelling or the wider area.

Similarly I am of the opinion that the removal of the high level window to the side elevation of the dwelling would not result in any impact upon the amenity of neighbouring properties.

I therefore consider that the proposal accords with the above policies.

Recommendation:

GRANT PLANNING PERMISSION subject to the following conditions:-

Conditions

1. This permission relates solely to the removal of the window on the right hand side elevation as shown on drawing no.BR/SO/10/010/001 RevA and indicated by dashed lines .

Reasons

1. For the avoidance of doubt.

Reasons for Decision

In the opinion of the Borough Council, the proposed removal of the window would have no undue impact on neighbouring residential amenity or the locality in general. The development therefore complies with the National Planning Policy Framework (2012) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

Notes to Applicant

The Borough Council has worked positively and proactively with the applicant by assessing the application in accordance with National and Local Planning Guidance, in a way that accords with paragraphs 186 and 187 of the National Planning Policy Framework.

On the 4th April 2014 an e-mail was received confirming that the air source heat pump had been relocated, the air source heat pump shown on drawing BR/SO/10/010/001 has been omitted from the scheme and no longer forms part of the proposal.